

MEMO BY Patrick P. Wong TO James H. Anthony DATE May 5, 1983
FILE TITLE Alternative Strategies For Modification of the
Intermountain Power Project (IPP) Air Quality Approval Order

This is to discuss possible alternative strategies to be pursued for modification of the existing IPP Air Quality Approval Order issued by the Utah Department of Health (DOH). These strategies were developed as a result of a meeting held between representatives of the IPP and the Utah DOH on April 29, 1983. Attached is a detailed discussion of this meeting.

The strategies to be considered for modification to the existing Air Quality Approval Order are as follows:

- (1) The IPP could continue to firmly maintain the legal position that the Best Available Control Technology (BACT) review by the DOH should be limited only to a determination that the proposed changes in particulate, sulfur dioxide (SO₂) and oxides of nitrogen (NO_x) control equipment will comply with emission limits specified in the existing approval order even at the increased boiler size. The most effective course of action to be pursued by IPP under this strategy would be to convince the Governor's Office of the State of Utah of its validity

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and to recommend that the Governor's Office give appropriate direction to the DOH.

The advantage of this strategy is that such a limited BACT review will result in full compliance with existing approval order limits without additional operating constraints, design changes, additional costs or new emission limits. The disadvantage of this strategy is that it gives maximum exposure to legal challenge by intervenors.

(2) IPP could submit, under protest, to a limited BACT review as proposed by DOH and provide technical and economic support information to insure a reasonable BACT determination for SO₂, NO_x and particulate emissions for IPP.

The advantage of this strategy is that it will likely minimize exposure to legal challenge by intervenors and maximize the probability that such a legal challenge will be rejected by the courts should it occur. The disadvantage of this strategy is that a new BACT determination by the DOH could result in additional operating constraints,

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design changes, additional costs, or new permit emission limits. Also, should a legal challenge by intervenors be upheld by the courts under this strategy, resolution of the BACT issue would be even more complicated because it becomes a technical issue rather than a procedural or legal issue.

- (3) The IPP could pursue strategy number 2 above for SO₂ and particulate control and, in addition, agree to a new permit emission limit for NO_x expressed in pounds per hour (lbs/hr). This new permit limit would be identical to the emission rate previously approved by the DOH for the nominal boiler heat rate. Commitments could be made by IPP to maintain this emission rate even at increased boiler heat input thru various operating procedures.

The advantage of this strategy is that a new BACT review for NO_x emission control should not be required because there will be no increase in NO_x emissions, yet the boiler could possibly operate at maximum heat input. The potential disadvantages of this

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strategy are as follows:

- (A) A recommendation by IPP of a new lbs/hr NO_x emission limit in the existing approval order may also suggest new lbs/hr emission limits for SO_2 and particulates.
 - (B) A lbs/hr NO_x emission limit in the approval order may unreasonably constrain operation of the generating station.
 - (C) The inclusion of a lbs/hr emission limit for any pollutant in an approval order may establish a precedent for future approval orders which may be undesirable.
- (4) The IPP could agree not to operate the boiler above the nominal heat input previously approved by the DOH.

The principal advantage of this strategy is that a new BACT review for NO_x emissions for IPP should not be required because there is no increase in NO_x emissions. The disadvantage of this strategy is that the boilers would effectively be load limited. Also,

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additional approval order conditions and/or design changes may be imposed by DOH to insure enforceability of this nominal boiler heat input.

In addition to consideration of the above strategies, it is recommended that the following information be provided to DOH:

- (1) A position paper providing legal justification for allowing construction to continue at IPP prior to and during the permit modification process.
- (2) Information regarding the cost of retrofitting Selective Catalytic Reduction (SCR) systems at IPP.

If you have any questions or if further information is required, please contact Mr. Roger T. Pelote on extension 3412.